IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
SECOND APPEAL NO.73 OF 2006

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Mr.R.V.More for the Appellant
Mr.Suresh M. Sabrad for the Respondent

CORAM: A.S.OKA, J.
DATED: APRIL 10, 2006.

P.C.:

1. After arguing the Appeal for sometime Shri More for the Appellant states that the Appellant is not pressing the Appeal on merits. He however submitted that considering the facts and circumstances of the case, longer time of three years to vacate may be granted. He states that the Appellant has affirmed an undertaking to vacate the suit property on or before 31st March 2009. He has tendered the undertaking of the Appellant on record which is marked as 'X' for identification. Shri Sabrad for the Respondent states that as the Appellant is not pressing the Appeal on merits, the Respondent has no objection if the time to vacate the suit

property as prayed by the Appellant is granted.

2. In view of this position, I pass the following order :

i) Appeal is dismissed as not pressed with no order as to costs.

ii) Undertaking tendered on record by the Appellant is accepted.

iii) In view of the undertaking filed by the Appellant today, notwithstanding the dismissal of the Appeal decree for possession shall not be executed till 31st March 2009.

iv) The parties and the Trial Court to act upon an authenticated copy of this order.

Judge.